



DEPARTMENT OF THE NAVY  
NAVY RECRUITING COMMAND  
5722 INTEGRITY DR.  
MILLINGTON, TN 38054-5057

COMNAVCRUITCOMINST 5370.2  
00IG  
1 APR 2009

COMNAVCRUITCOM INSTRUCTION 5370.2

From: Commander, Navy Recruiting Command

Subj: NAVCRUITCOM HOTLINE PROGRAM

Ref: (a) SECNAVINST 5370.5  
(b) BUPERSINST 5370.5  
(c) U.S. Navy Regulations, 1990  
(d) SECNAVINST 5430.92  
(e) SECNAVINST 5370.7  
(f) 18 U.S.C. § 1001 (2003)  
(g) Title 18, Chapter 47, United States Code  
(Uniform Code of Military Justice)  
(h) Navy Inspector General Investigation Manual (Jul 95)  
(i) OPNAVINST 5370.2  
(j) COMNAVCRUITCOMINST 5370.1  
(k) COMNAVCRUITCOMINST 1137.3  
(l) OPNAVINST 5354.1  
(m) SECNAVINST 5300.26  
(n) COMNAVCRUITCOMINST 5354.2  
(o) SECNAVINST M-5214.1, DoN Information Requirements  
(Reports) Manual

Encl: (1) Investigative (DoD/Navy/NAVCRUITCOM Hotline)  
Completion Report (Report Control Symbol 5041/2)  
(2) Sample Investigative Plan  
(3) Voluntary Statement  
(4) Privacy Act Statement  
(5) Inspector General Investigation Statement of  
Understanding  
(6) Article 31(b) Warning (Military Acknowledgement/  
Waiver of Rights)  
(7) NAVCRUITCOM Progress Report  
(8) Investigative Report Checklist  
(9) Codes/Definitions Used in Analyzing Reports of  
Investigations/Inquiries  
(10) Navy Inspector General Hotline Tracking System  
Allegation Categories

1. Purpose. To implement the provisions of references (a) and  
(b) by establishing written internal procedures for processing

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Department of Defense (DoD), Navy, Bureau of Naval Personnel (BUPERS) and Navy Recruiting Command (NAVCRUITCOM) Hotline referrals within activities under the immediate command of NAVCRUITCOM. To establish an internal hotline program within NAVCRUITCOM and its subordinate commands.

2. Cancellation. COMNAVCRUITCOMINST 5041.1A. Cancelled and replaced by COMNAVCRUITCOMINST 1137.3, INVESTIGATING AND REPORTING OF ALLEGATIONS AND COMPLAINTS and COMNAVCRUITCOMINST 5370.2, NAVCRUITCOM HOTLINE PROGRAM.

3. Background. The DoD and Department of the Navy (DoN) Hotline programs are designed to combat fraud, waste, and mismanagement throughout the DoD and DoN by providing an alternative to the normal chain of command. Mechanisms can include manned or unmanned local and toll free telephone numbers, Inspector General (IG) website Hotline submission forms or fax numbers.

4. Responsibilities. The provisions of this instruction apply to all activities under the immediate command of NAVCRUITCOM.

5. Policy

a. Per reference (a) and (b), the DoN shall demand and enforce the highest ethical standards from its members, fairly and efficiently manage its resources and people, and exercise a fiduciary responsibility over taxpayers' dollars. Reference (a) directs NAVCRUITCOM to establish its own Hotline program. That program is considered part of the IG Network and therefore subject to oversight, monitoring and review by Navy Inspector General (NAVINSGEN). It must also adhere to the guidelines and requirements of references (a) and (b).

b. References (c), (d), and (e) require military and civilian personnel to report suspected violations of Navy regulations and policies to their chain of command. This is the preferred mechanism because it reinforces the primacy of the chain of command and allows problems to be addressed at the lowest level. The hotline programs provide an alternative to the chain of command when a complainant reasonably fears reprisal or believes the chain of command has been unresponsive. This provides an unbiased, impartial approach to address these issues and ensures that they are properly evaluated, investigated, and, when necessary, corrected by responsible authorities.

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c. The purpose of the Hotline Program is to identify and eliminate fraud, waste, and mismanagement in the operation of the Navy. Navy Inspector General defines mismanagement as acts of abuse and waste; needless, extravagant, and careless expenditure of government funds or the consumption or misuse of government property or resources, resulting from poor management/supervision, deficient practices, systems, controls or decisions. To be effective, the program requires all personnel to be vigilant against the possibility of illegal or improper acts, and to report to the chain of command, or an IG, any improprieties they observe. Reporting of illegal activity is required by references (c) and (d). These reports shall be based on the complainant's "good faith" belief that the information is true. The use of the Hotline Program to file knowingly false complaints is a violation of reference (f) and (g). Those suspected of willfully and knowingly filing false complaints are subject to prosecution and/or administrative action.

d. IG personnel will respond to substantive allegations of fraud, waste, and mismanagement in a timely and impartial manner, pursue corrective measures in accordance with applicable laws, regulations, directives and instructions, and report the results of such investigations to the appropriate authorities. Unless specifically authorized by the complainant, IG will protect the confidentiality of the complainant within the IG Network at all stages of the Hotline process except when the identification of the complainant is required by law or judicial order. Commanders, Commanding Officers, and supervisors responsible for enforcing accountability within their respective activities shall have access to IG reports and supporting documentation when the investigation is complete.

## 6. Action

### a. Conducting Investigations

(1) Hotline investigations, to the maximum extent possible, shall be conducted by a certified DoN IG Investigator, as defined by reference (a). NAVCRUITCOM IG shall ensure that subordinate activities are capable of conducting a professional investigation before tasking them with a Hotline investigation per reference (a). Assignment of a non-certified member as a Hotline investigator, for a SINGLE case, must be approved by NAVINSGEN or BUPERS IG, via NAVCRUITCOM IG. Approval is discretionary. The IG must be satisfied that the intended investigator, by demeanor, experience and position is capable of

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conducting a professional investigation and producing a report that satisfies the standards of timeliness, independence, completeness and accountability. For this reason, investigations will be conducted only by a commissioned officer, warrant officer, or senior enlisted (E7, E8, or E9). The primary or lead Investigating Officer (IO) assigned should not be junior to any individual whose conduct or performance of duty is the subject of the investigation, nor be a member of the subject's immediate chain of command. Any investigator who conducts two or more hotline investigations must attend the Navy IG School prior to conducting the second investigation. Route quota requests through the NAVCRUITCOM IG. Commanding Officers will forward an appointment letter and Investigating Officer IG "The Basics: completion certificate" to 00IG for approval prior to commencement of investigative efforts.

(2) Reference (h), available on the Navy IG's website ([www.ig.navy.mil](http://www.ig.navy.mil)), delineates the procedures for IOs to follow when conducting an investigation. Chapter Eight of the Policy Manual specifically addresses writing the report. For additional information IOs can call NAVCRUITCOM IG Hotline 888-247-9321. If confused on the type of investigation to conduct, e.g., IG vs JAGMAN, contact either NAVCRUITCOM 00IG OF 00J.

(3) Reference (i) and (j) shall be reviewed when investigating fraternization allegations. All allegations of fraternization between recruiters and applicants, whether tasked by higher authority or revealed at the command level shall be classified a Hotline complaint. NAVCRUITCOM IG shall be informed of all such fraternization complaints upon receipt. All other allegations of fraternization shall be investigated using guideline in reference (k).

(4) Complaints involving Equal Opportunity (EO) and Sexual Harassment issues should be addressed as prescribed in references (l), (m) and (n). However, if a military member has attempted to pursue the matter using the appropriate process and the CMEO program management has not been responsive or if the complainant can provide evidence that the EO process is biased or the investigation was improperly conducted, IG shall intervene. All formal Equal Opportunity and Sexual Harassment complaint investigations shall be forwarded to NAVCRUITCOM IG for review.

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b. Form and Content of Investigative Report

(1) ALL hotline investigative reports will be submitted in the format contained in enclosure (1). While forwarding of investigative reports should not be delayed pending competition of accountability actions, substantiated cases will not be closed until corrective action has been reported.

(2) All hotline investigative reports shall include an investigative plan. Enclosure (2) provides an example format. Ensure a list of questions for each person interviewed is included in the investigative plan. An Action Officer/Point of Contact from the NAVCRUITCOM IG staff will be assigned to assist the investigating officer with all aspects of the investigation. At a minimum, the Action Officer should review the investigative plan before the investigation begins.

(3) Whenever possible, the IO will obtain sworn statements from all individuals associated with the case to include the complainant(s), for accurate documentation and to avoid interpretation or paraphrasing. In conducting all investigations, every effort will be made to secure signed statements and declarations, even if the individuals involved have transferred or retired. If attempts at obtaining statements are unsuccessful, address the reasons in the investigative report. All statements are to be forwarded with the report of investigation. The Voluntary Statement, enclosure (3), is provided to assist IOs in obtaining statements.

(4) The complainant(s) must be interviewed by the IO and a supplemental statement obtained.

(5) All individuals interviewed during the course of the investigation shall complete a Privacy Act Statement, enclosure (4), and an Inspector General Investigation Statement of Understanding, enclosure (5). Acknowledgement and Waiver of Rights, enclosure (6), will be given only to military personnel who are suspected of committing an offense under the Uniform Code of Military Justice (UCMJ). If, during the course of questioning, the IO comes to suspect a military member of wrongdoing, the interview will be terminated and the member will be afforded their Acknowledgement and Waiver of Rights prior to continuing the interview. Federal employees, military, and General Service personnel must comply with the Investigating Officer and cannot refuse to answer questions, unless they are the subject of an investigation. The exception to this is a

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military member subject to the investigation or suspected of committing an offense.

(6) Permission must be granted from the contracting agency prior to any contractors or contracted employees being interviewed. Contractors, contracted employees, and other civilians not associated with a Government Agency cannot be compelled to provide a statement as a witness if they indicate a desire not to do so. Under no circumstances will contractors, contracted employees, or other civilians be interviewed as subjects or suspects of the investigation. Any contracted employee suspected of wrongdoing shall have the allegation(s) or complaint(s) referred to their agency for appropriate action. Any alleged or apparent wrongdoing by other civilians must be referred to appropriate civilian authorities.

(7) When requested by higher authority or when such information is pertinent to the investigation, the IO will obtain the complete RTools record and residual file for applicants and DEPPers who are either complainants or subjects of the investigation and include them in the investigative report.

(8) All additional allegations or complaints uncovered during the course of an investigation must be addressed in the report. However, in some cases, additional allegations or complaints discovered may require a separate investigation. It is the responsibility of the IO to inform the tasking authority of the additional discovered allegations or complaints. The tasking authority will then determine if a separate and independent investigation is required to address the new allegations or complaints, or can be completed by the IO during the course of their investigation.

c. Disposition of the Hotline Report

(1) Upon completion of the investigation, the IO will submit an electronic investigative report using the format in enclosure (1) or as otherwise directed by NAVCRUITCOM 00IG, via the Navy Recruiting Region (NAVCRUITREG) Commander and Navy Recruiting District (NAVCRUITDIST) Commanding Officer (CO), reflecting the findings concerning the incident(s), conclusion(s), specific information on potential disciplinary or punitive action to be taken, recommended corrective action as applicable and any other appropriate recommendations. It is imperative that all statements, copies of documents, and forms included with the investigative report be complete and legible.

(2) Forwarding of the report is not to be delayed until the completion of any administrative disciplinary action. However, any administrative/disciplinary action taken prior to forwarding the report will be included in the investigative report or endorsement. Hotline cases will not be closed until all administrative/ disciplinary actions are complete for substantiated allegations.

(3) The NAVCRUITREG Commander or NAVCRUITDIST CO will include a statement of concurrence or non-concurrence with the findings, conclusions, and recommendations of the IO. Additional recommendations and comments should be included, as appropriate. The report may be returned by endorsement for additional information, corrective action, or resubmission.

(4) Should it become apparent during the course of the investigation that established recruiting management, administrative standards or policy were a contributing cause to the irregularity, a recommendation should be included for revisions to such standards or policy in order to preclude recurrence of similar situations. NAVCRUITCOM 00J and NAVCRUITCOM N3 will accomplish a legal and policy review should the investigation identify any legal or policy issues.

(5) **Investigations and ensuing reports are to be completed and forwarded to NAVCRUITCOM 00IG.** Normally, the 00IG tasking letter will assign a four-week (30-day) completion period. The organization and individual(s) tasked with the investigation are responsible for ensuring that the due date is met. Extensions normally cannot be granted, however, it is understood extenuating circumstances may arise during the investigation that could prevent the due date from being met. Therefore, on a case by case basis extensions will be granted. Requests for additional time to complete an investigation must be submitted via email to NAVCRUITCOM 00IG within a reasonable time prior to the due date. This report can be submitted as an attachment using enclosure (7) or directly entered on email, providing same information as enclosure (7).

(6) Each level of command shall analyze investigations in order to maintain the highest recruiting standards. NAVCRUITCOM 00IG, will review the report of investigation for thoroughness, completeness, timeliness, and accountability; and record as substantiated or unsubstantiated, in whole or in part, the findings, conclusions, and recommendations.

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(7) **All** investigative reports conducted pursuant to this instruction, as well as the command endorsement letter, **are to be electronically sent to NAVCRUITCOM 00IG. These documents can be sent via email to [CNRC\\_IG\\_ADMIN@navy.mil](mailto:CNRC_IG_ADMIN@navy.mil) or saved on a disc/CD and mailed to NAVCRUITCOM IG. Hard copies are to be mailed, in separate envelopes, to NAVCRUITCOM with attention to 00IG.** Electronic correspondence can be either scanned (i.e., a signed PDF letter), have an approved /s/ or contain an electronic signature authorized by your command.

(8) Enclosure (8) provides a checklist for case review prior to submission.

#### 7. Uses of Reports of Investigation

a. Completed reports of investigations, including endorsements, provide an excellent source of management information. Hotline investigation reports are to be retained for a minimum of three years. There may be circumstances that require completion reports to be maintained for longer period of time as determined by the Inspector General. The reports are a good training source and should be used to correct weak points in the recruiting process. They are also excellent sources for responding to Congressional inquiries, interested public officials, and other individuals or organizations. **The CO of the NAVCRUITDIST or a designated senior representative is directed to debrief the accused recruiting person or personnel involved in the investigation as to the outcome and final findings. This is to be documented in the member's training record.**

b. NAVCRUITCOM 00IG may make recommendations for recruiting and processing policy changes or improvements and suggest that other commands and agencies, both internal and external to the Navy, be informed of the results of the investigation.

c. For purposes of statistical analysis, all irregularities, allegations, or complaints substantiated or unsubstantiated, will be coded with one or more of the codes contained in enclosure (9), and recorded in NAVCRUITCOM 00IG investigation database. All irregularities will be documented and tracked.

d. Navy Inspector General developed and uses "allegation categories" in its Navy Inspector General Hotline Tracking System (NIGHTS) program, enclosure (10), to track data about IG complaints at all levels of the IG system in order to, among



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other things, spot trends within the services. In addition, NAVINSGEN uses these categories to report types of complaints received to the Secretary of the Navy and Chief of Naval Operations. All investigation tasking letters issued from convening authorities to initiate an inquiry or formal investigation into any allegation will utilize these codes right behind the SSIC of the letter being issued. NAVCRUITCOM 00IG will also utilize these allegation codes when issuing tasking or closeout letters.

8. Reports. The reporting requirement contained in paragraph 6c is exempt from formal approval and licensing per reference (d).

/s/

R. R. BRAUN

Deputy

Distribution:

Electronic only, via

<http://www.cnrc.navy.mil/Publications/directives.htm>

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**Investigative (DoD/Navy/NAVCRUITCOM Hotline)**  
**Completion Report**  
**(Date of Report)**

**1. Administrative Information**

a. Investigator(s) and identifying information (Name, Rank, and/or Grade, Title, Organization, and Telephone Number/Email Address or official(s) conducting the investigation.

b. Location of working papers:

**2. Background and Summary**

a. Control Numbers. DoD/Navy/NAVCRUITCOM Hotline number(s).

b. Summary of Complaint. (Brief summary of allegations in the IO's own words).

c. Additional Information (Optional). (This section helps the reader understand the case, i.e., outcome of previous, related investigations, results of Preliminary Inquiry, and if any allegations were referred to the command or other process for investigation.)

d. Summary of Outcome if Investigation. (Brief summary of outcome to include how many allegations there were, who they were against, how many were substantiated, and disposition for substantiated allegations, if action had been taken.)

e. List of Allegations (Optional). List what each allegation is about and the violation of standards pertaining to the allegation.

**3. First Allegation.** (State allegation to include criminal/regulatory violation and whether it was substantiated or unsubstantiated.)

a. Facts. (Standards, i.e., rules/regulations/statutes, derived from testimony, documents and physical evidence.)

b. Analysis/Discussion/Conclusion. (Weigh evidence, resolve conflicts, state opinions, include mitigating factors

w/explanation and explain the rational for the conclusions; i.e., "Based on witness testimony, we concluded that Ms. Chase did not return to the conference on the afternoon of 3 March not was she present on Thursday, 4 March for the entire day.")

c. Recommendation(s). (General, such as administrative changes or "take appropriate action to hold subject accountable" - not specific, punitive, disciplinary, adverse administrative, if financial issue have PSD audit subjects account.)

d. Disposition. (Corrective or Administrative Action taken as result of substantiated allegation.)

4. **Second Allegation/Issue (if applicable)**

5. **(or last section) Interviews and Documents reviewed**

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## SAMPLE INVESTIGATIVE PLAN

### 1. ALLEGATIONS/ISSUES

a. **SOURCE OF ALLEGATIONS:** Recruit Quality Assurance Team

b. **ALLEGATIONS LIST:**

(1) That MM1 Joe Recruiter advised applicant, SR Jane DEPper to conceal pre-service medical condition in violation of COMNAVCRUITCOMINST 1130.8H.

(2) That MM1 Joe Recruiter failed to properly witness parental consent signatures on SR Jane DEPper's DD Form 1966 dated March 3,2008 in violation of COMNAVCRUITCOMINST 1130.8H.

### 2. **BACKGROUND**

a. **RELEVANT STATUTES/DIRECTIVES/REGULATIONS/POLICIES**

Rule/Regulation	Topic	Elements of Proof
CNRCINST 1130.8H, Vol. I, Chap. 1, Section 4, 010406	Concealing applicant information	Under not circumstances shall recruiting personnel instruct applicant to withhold any information regarding medical/physical information, to include treatment, medication prescribed, or minor illnesses, regardless of when treatment occurred or the applicant's current medical/physical status. 1) Did the applicant have undisclosed medical condition? 2) Was the recruiter aware of this condition?
CNRCINST 1130.8H, Vol. III, Chap. 1, Section 2, 010202	Witnessing signing of consent papers by recruiting personnel	Members of the recruiting command must visually witness the signing of consent papers in all cases except as follows: - CO authorized a Notary Public to witness signature - Custodial parent resides outside US - emancipation by legal court order/marriage 1) Did recruiting personnel visually witness parents signature? 2) If no, did one of above exceptions apply?

b. **PREVIOUS INVESTIGATIONS:** None.

### 3. EVIDENCE

a. **DOCUMENT LIST:**

DOCUMENT	LOCATION	DATE OBTAINED	COMMENTS
DD Form 1966	Residual File at NRD	6/25/08	Record of Military Processing
DD Form 2807-2	Residual File at NRD	6/25/08	Medical Screening Form
DD Form 2808	Residual File at NRD	6/25/08	Report of Medical Examination
DD Form 2807-1	Residual File at NRD	6/25/08	Report of Medical History
WEBRTOOLS		6/25/08	
Civilian Medical Records	Request mother/possibly in residual file	7/27/08	Obtained from mother
SR DEPper Statement	Tasking Documents	6/25/08	

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**b. INTERVIEW LIST:**

Name	Command/Position	Phone	Category	Date Interviewed	Comments
SR Jane DEPper	RTC Great Lakes	(301) 555-2209	Complainant	7/6/08	Re-interview to get confirmation of allegations
MM1 Sam Recruiter	NRS Somewhere	(301) 555-4430	Subject	7/1/08	Interview last
NC1 Bob Wired	NRS Somewhere	(301) 555-1991	Witness	7/1/08	RINC
NCC Tom Ahawk	NRD Somehow	(301) 555-2903	Witness	7/23/08	Zone Supervisor Located in NRS Nowhere
HM2 Ban Daid	NRS Somewhere	(301) 555-1060	Witness	7/21/08	Station Recruiter Transfers 8/1/08
Missin Gyou	11 End of the RD Somewhere ST	(619) 555-6709	Witness	7/27/08	Mother of SR Depper

**c. INTERVIEW SEQUENCE PLAN:**

ORDER	INTERVIEWEE	CATEGORY	ALLEGATIONS	QUESTIONS
1	DEPper	Complainant	1, 2	Do you have a pre-service medical condition? If yes, did you disclose this condition to recruiting personnel? Who? Was anyone else present? Did your mother sign the parental consent form? Who was present when the when the form was signed?
2	HM2 Daid	Witness	1	Where you present when SR Depper was being blueprinted? Did you help with the preparation of SR Depper's enlistment documents? Did you personally speak with SR Depper at any time? What was discussed? Do you have any knowledge of SR Deppers medical condition?
3	NC1 Wired	Witness	1	Where you present when SR Depper was being blueprinted? Did you help with the preparation of or review SR Depper's enlistment documents? Did you personally speak with SR Depper at any time? What was discussed? Do you have any knowledge of SR Deppers medical condition?
4	NCC Ahawk	Witness	1	Where you present when SR Depper was being blueprinted? Did you help with the preparation of SR Depper's enlistment documents? Did you personally speak with SR Depper at any time? What was discussed? Do you have any knowledge of SR Deppers medical condition?
5	Ms Gyou	Witness	1, 2	Did you sign the parental consent documents for your daughter? Who was present at the time you signed the documents? Does your daughter have a medical condition? Did she have this condition before entering the Navy? Do you know if your daughter disclosed this condition to recruiting personnel? If yes, where you present when this information was discussed and who was present?
6	MM1 Recruiter	Subject	1, 2	Did you blueprint SR Depper? Did you help SR Depper complete her enlistment documents? Did anyone else work on her documents? Did SR Depper at any time disclose a medical condition? Were all disclosures documented properly? Did you visually witness Ms Gyou's signature on the parental consent form? –If yes, who else was present at the time?

**d. PHYSICAL EVIDENCE:** None.**4. ADMINISTRATIVE MATTERS****a. NOTIFICATIONS:** Need to notify front office that will be investigating/interviewing. (Notified 6/23/08).**b. ITINERARY:** Local area. No travel necessary.**c. INTERIM RESPONSES REQUIRED:** Will need progress report NLT 2 July (didn't get tasking in time to meet 25-day deadline).**d. EXPECTED COMPLETION DATE:** 16 August 2008

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Enclosure (2)

<p>OFFICE OF THE INSPECTOR GENERAL NAVY RECRUITING COMMAND</p> <p><u>Voluntary Statement</u></p>	1. PLACE
	2. DATE
<p>I, _____, make the following free and voluntary statement to _____ whom I know to be _____</p> <p>I make this statement of my own free will and without any threats or promises extended to me. I was advised of the applicable provisions of the Privacy Act, and signed a Privacy Act statement. I declare under penalty of perjury, 28 U.S.C. 1746, that the following voluntary statement is true and correct to the best of my knowledge:</p>	
Page ___ of ___ Pages	

**Privacy Act Statement**

*(Data Required by the Privacy Act of 1974)*

**PRIVACY ACT STATEMENT**

**For Personal Information Taken During**

**Inspector General Interviews**

**AUTHORITY:** Title 10, U. S. Code, Sections 5014 and 5020

**PURPOSE:** To determine the facts and circumstances surrounding allegations or complaints against Naval personnel and/or Navy/Marine Corps activities. To present findings, conclusions, and recommendations developed from investigations and other inquiries to the Secretary of the Navy, CNO, CMC, or other appropriate Commanders. Disclosure of Social Security Account Number is voluntary, and if requested, is used to further identify the individual providing the information.

**ROUTINE USES:** The information is used for the purpose set forth above and may be:

- a. forwarded to Federal, State, or local law enforcement agencies for their use;
- b. used as a basis for summaries, briefings, or responses to Members of Congress or other agencies in the Executive Branch of the Federal Government;
- c. provided to Congress or other Federal, State, and local agencies, when determined necessary.

**MANDATORY OR VOLUNTARY DISCLOSURE AND EFFECT ON INDIVIDUAL NOT PROVIDING INFORMATION:**

**For Military Personnel:** Disclosure of personal information is mandatory and failure to do so may subject the individual to disciplinary action.

**For Department of the Navy Civilians:** Failure to disclose personal information in relation to individual's position responsibilities may subject the individual to adverse personnel action.

**For All Other Personnel:** Disclosure of personal information is voluntary and no adverse action can be taken against individuals for refusing to provide information about themselves.

**ACKNOWLEDGMENT**

I understand the provisions of the Privacy Act of 1974 as related to me through the foregoing statement.

Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Signature: \_\_\_\_\_  
Rate/Rank: \_\_\_\_\_

Date: \_\_\_\_\_  
SSN (Last 4 only): \_\_\_\_\_

**Inspector General Investigation Statement Of Understanding**

**NAVY PERSONNEL AND IG INVESTIGATIONS:** You understand Department of the Navy personnel have a duty to cooperate with an IG investigation and specifically have been advised of the following:

- Military personnel and civilian federal employees must answer all questions relating to an investigation. (Military Personnel only except those that may be self-incriminating).
- SECNAVINST 5430.57 states that all Department of the Navy personnel shall respond to any IG request or inquiry, as if made by the Secretary.
- Article 1137 of the US Navy Regulations requires persons in the Naval service to report offenses under the UCMJ (except when they themselves are criminally involved in the offense). You are not suspected of any violations at this time on this investigation. If you were to become a suspect, I would advise you of your Article 31B or Miranda Rights.

**Knowingly making a false statement to an investigator is a violation of federal law subject to a fine of \$10,000 or up to five years imprisonment or both for military personnel.**

**CLOSING:** You have been provided the following cautions:

- That the contents of an IG investigation are subject to the Privacy Act.
- You're not to discuss any of the information we have covered with anyone other than members of this investigative team, the Navy IG, BUPERS IG, or NAVCRUITCOM IG offices and your lawyer.
- You're to refer anyone who approaches you on these issues to NAVCRUITCOM IG.
- If you believe any action is taken against you in reprisal for your cooperation with this investigation, you will immediately contact NAVCRUITCOM IG.
- You will notify NAVCRUITCOM IG if you think of anything later that you feel is pertinent to this investigation.

You have read this entire statement and the attached one page Privacy Act statement signed by you (attachment 1).

Signature:\_\_\_\_\_ Last Four SSN:\_\_\_\_\_

Printed Name:\_\_\_\_\_ Rate/Grade:\_\_\_\_\_

Position/Title:\_\_\_\_\_ Date:\_\_\_\_\_

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Enclosure (5)



**Article 31(b) Warning**  
**(Military Acknowledgement/Waiver of Rights)**

SUSPECT'S RIGHTS ACKNOWLEDGEMENT/STATEMENT (See JAGMAN 0170)

Full Name (Accused/Suspect)	SSN (Last 4 only)	Rate/Rank	Service (Branch)
Unit/Activity		Date of Birth	
Name (Interviewer)	SSN (Last 4 only)	Rank/Rank	Service (Branch)
Organization		Billet	
Location of Interview		Time	Date

**Rights**

I certify and acknowledge by my signature and initials set forth below that, before the interviewer requested a statement from me, I was warned that:

(1) I am suspected of having committed the following offense(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_(Initial)\_\_\_\_\_

(2) I have the right to remain silent;.....(Initial)\_\_\_\_\_

(3) Any statement I do make may be used as  
evidence against me in trial by court-martial;.....(Initial)\_\_\_\_\_

(4) I have the right to consult with lawyer  
counsel prior to any questioning. This lawyer counsel  
may be a civilian lawyer retained by me at my own  
expense, a military lawyer appointed to act as my  
counsel without cost to me, or both, and;.....(Initial)\_\_\_\_\_

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Enclosure (6)

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(5) I have the right to have such retained civilian lawyer and/or appointed military lawyer present during this interview..... (Initial)\_\_\_\_\_

**Waiver Of Rights**

I further certify and acknowledge that I have read the above statement of my rights and fully understand them, and that

.....(Initial)\_\_\_\_\_

(1) I expressly desire to waive my right to remain silent;.....(Initial)\_\_\_\_\_

(2) I expressly desire to make a statement.....(Initial)\_\_\_\_\_

(3) I expressly do not desire to consult with either a civilian lawyer retained by me or a military lawyer appointed as my counsel without cost to me prior to any questioning

.....(Initial)\_\_\_\_\_

(4) I expressly do not desire to have such counsel present with me during this interview; and.....(Initial)\_\_\_\_\_

(5) This acknowledgement and waiver of rights is made freely and voluntarily by me, and without any promises or threats having been made to me or pressure or coercion of an kind having been used against me.....(Initial)\_\_\_\_\_

Signature (Accused/Suspect)	Time	Date
Signature (Interviewer)	Time	Date
Signature (Witness)	Time	Date

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Enclosure (6)

## NAVCRUITCOM PROGRESS REPORT AS OF (DATE)

1. **Applicable DOD Component:**  
**Hotline Control Number(s)(if applicable):**
3. **Date Investigation Initially Received:**
4. **Status:**
  - a. Name of Organization conducting investigation:
  - b. Type of investigation being conducted:
  - c. Results of investigation-to-date (summary):
  - d. Reason for delay:
  - e. Request extension to:
5. **Expected Date of Completion:**

<b>Subject:</b>			<b><u>Investigative Report Checklist</u></b>
Yes	No	NA	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Commanding Officer's endorsement indicates whether the allegations were Substantiated or Unsubstantiated
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Commanding Officer's endorsement identifies the subjects against whom the charges were for.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Corrective/Administrative action is addressed in the Commanding Officer's endorsement or on separate document.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Completed investigation was submitted to Tasking Authority within deadline. (90 Days) of tasking If not indicate below.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	IO included name, rank/grade, position, organization, telephone # and any other identifying information to assist the tasking authority to ascertain independence?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Report is in the proper format in accordance with COMNAVCRUITCOMINST 5370.XX.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Io Appointment Letter
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Investigating Officer IG "The Basics" completion certificate
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Written Statement and/or Results of Interview from those personnel interviewed
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Privacy Act Statements for those personnel interviewed and or who provided a written statement
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Acknowledgement of Rights for the accused (Article 31)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Required documents from Tasking Authority as indicated in Tasking letter.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	R-tools
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Residuals (complete enlistment package
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	IO was independent, i.e. free from bias, free from command influence and senior to subject? If not why?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	IO addressed all tasked and emerging allegations? If not, why?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	IO interviewed the complainant (mandatory if complainant is named)? If not, why?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	IO interviewed the subject(s). If not, why?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	IO interviewed key witnesses? If not, why?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	IO collected all evidence including documents (cite title, originator, date) and interviews (name, grade, position, and method of interview). If not, why?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	IO wrote allegations in the proper format citing to applicable standards?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	IO clearly cited standard in Facts sections of Investigative Report?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	IO reconciled conflicting evidence?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	IO supported conclusions with evidence?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	IO discussed mitigating circumstances?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	IO obtained legal review (mandatory for significant cases)? If not, why?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Investigative Report stands alone, i.e. all relevant information is included and discussed in the body of the report with no reference to enclosures?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Investigative Report is balanced and fair to all parties?
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	IO correctly documented disposition, i.e., for unsubstantiated allegations, "no further action necessary"; for substantiated allegations, "forwarded to higher authority for appropriate administrative and/or corrective action" or "corrective action completed" (include description of corrective action)?

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Enclosure (8)

**Codes Used in Analyzing Reports of Investigations/Inquires**

**Codes for Substantiated Irregularities**

(Substantiated: Sufficient evidence, testimony and/or circumstantial evidence presented to determine accountability).

**L** - Misconduct: Fraudulent violation of regulation or policy; no effect on Enlistment Qualifications, coercion, and misuse of government property.

**M** - Misconduct: Equal Opportunity violations, to include Sexual Harassment, Fraternization, and Discrimination.

**Codes for Unsubstantiated Irregularities**

(Unsubstantiated: Insufficient evidence, testimony and/or circumstantial evidence exists to determine accountability).

**1** - One person's word against another's.

**2** - Recruiting personnel conduct not as alleged or indicated.

**6** - The accused or involved recruiting personnel unable to be located, or are retired, and/or nature of the case so minor, and/or the allegation or incident so questionable with the facts at hand to render further investigation not worthwhile.

**9** - Allegation refuted by an equal or larger number of people than those supporting the allegation.

**10** - Further investigation or review not warranted because the irregular circumstances of the enlistment have been corrected and no benefit to the recruiter, member, or NAVCRUITCOM can be expected as a result of further action.

**Codes for Applicable Case Type/Explanation**

<b><u>DI</u></b> - DISCRIMINATION	DISCRIMINATION/ACTING ON THE BASIS OF PREJUDICE
<b><u>FN</u></b> - FRATERNIZATION (NONSEXUAL)	FRATERNIZATION (NONSEXUAL)
<b><u>FS</u></b> - FRATERNIZATION (SEXUAL)	FRATERNIZATION (SEXUAL)
<b><u>GV</u></b> - GOV	GOV - MISUSE/ABUSE OF GOVERNMENT PROPERTY
<b><u>MC</u></b> - RECRUITER MISCONDUCT	UNPROFESSIONAL CONDUCT
<b><u>ML</u></b> - MISCONDUCT (LEADERSHIP)	MISCONDUCT (LEADERSHIP)
<b><u>QL</u></b> - QUALITY OF LIFE	ANYTHING REGARDING QUALITY OF LIFE ISSUES
<b><u>SH</u></b> - SEXUAL HARASSMENT	ANY ACT OF SEXUAL HARASSMENT

**Navy Inspector General Hotline Tracking System (NIGHTS)**

The following is a list of "allegation categories" that the NAVINSGEN developed and uses in its CMIS program. NAVINSGEN uses these categories to track data about IG complaints at all levels of the IG system in order to, among other things, spot trends within the services. In addition, NAVINSGEN uses these categories to report types of complaints received to the Secretary of the Navy and Chief of Naval Operations. All investigation tasking letters issued from convening authorities that initiate an inquiry or formal investigation into any allegation will utilize these codes right behind the SSIC of the letter. NAVCRUITCOM IG will also utilize these allegation codes when issuing tasking or closeout letters.

Example:        5041/9/22            (In this case 9 = Ethics, 22 = Recruiting)  
                 Ser 00/121  
                 12 May 2003

- 1 - Abuse of Title/Position
- 2 - Anti-deficiency Act
- 4 - Appearance of Impropriety
- 5 - Conflicts of Interest
- 6 - Criminal Issues
- 7 - Dependent/Domestic Affairs and Support
- 8 - EEO - Race/Sex/Religion
- 9 - Ethics
- 10 - False Official Statements/Claims
- 11 - Financial Obligations
- 12 - Fraternization
- 13 - Management/Organization Oversight
- 14 - Medical/Dental Issues
- 15 - Misuse of Government Equipment/Manpower/Resources
- 16 - Not Specified
- 17 - Other
- 18 - Pay/Payroll Allowances and Entitlements
- 19 - Procurement Issues
- 20 - Prohibited Personnel Practices/Nepotism
- 21 - Quality of Life/Morale and Personnel Affairs
- 22 - Recruiting/Retirement/Discharge
- 23 - Reprisal (Not 1034)
- 24 - Safety/Environmental
- 25 - Security/Intelligence
- 26 - Sexual Harassment
- 27 - Time and Attendance
- 28 - Travel Abuses
- 29 - UCMJ/Navy Regulation Violations
- 30 - Reprisal (1034)

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Enclosure (10)